



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Cameron M.L. Clokie

Serial No. 10/628,147

Filed: July 28, 2003

For: REVERSE PHASE CONNECTIVE
TISSUE REPAIR COMPOSITION

Atty. Docket: 02738.0006.CNUS02

NOTICE OF LITIGATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

The subject matter of this application was at issue in a litigation, *GenSci OrthoBiologics, Inc. v. Osteotech, Inc.*, United States District Court for the Central District of California, Case No. CV 9868 AHS (Eex) / CV 99-10111-MRP (Eex). Copies of the Decision on Claim Construction, Summary Judgment Ruling and Jury Verdict were previously provided to the Patent Office in parent application Serial Nos. 08/922,068 and/or 09/939,898, and additional copies are enclosed.

No fees are believed to be due in connection with the filing of this Notice, however, should any fees be deemed necessary for any reason relating to these materials, the

Commissioner is authorized to deduct said fees from Deposit Account No. 01-2508/02738.0006.CNUS02/WAA.



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Date: November 20, 2003